

**Consultation Response from: KC Environmental Health (Pollution & Noise Control)**

2024/91750 - 15, Halifax Road, Scapegoat Hill, Huddersfield, HD7 4NS

**Discharge of details reserved by conditions 3 (Phase I Desk Study Report), 4 (Preliminary Risk Assessment) of permission 2023/93668 for demolition of existing garage and erection of new garage and agricultural building**
**Date Responded:**  
 25<sup>th</sup> June 2024

**Responding Officer:**  
 NH

**Responding Ref:**  
 WK/202419693

**Condition 3 – Preliminary Risk Assessment (Phase I Desk Study Report)**

The applicant has applied to discharge Condition 3 on previous permission 2023/93668. Condition 3 on previous permission 2023/93668 requires the submission and approval of a Preliminary Risk Assessment (Phase I Desk Study Report).

No Preliminary Risk Assessment (Phase I Desk Study Report) has been received in support of the application and we understand from the Phase 2 report received that a Phase 1 Desk Study has been undertaken by Rogers Geotechnical Services (RGS).

We are unable to consider the application to discharge Condition 3 in the absence of a Preliminary Risk Assessment (Phase I Desk Study Report). Therefore, Condition 3 must remain until further notice.

**Condition 4 – Phase II Intrusive Site Investigation Report**

The applicant has applied to discharge Condition 4 on previous permission 2023/93668. Condition 3 on previous permission 2023/93668 requires the submission and approval of a Phase II Intrusive Site Investigation Report. Please note, we are unable to provide full comments in relation to Condition 4 in the absence of a Phase 1 report as required for Condition 3.

A Phase II Intrusive Site Investigation Report authored by Rogers Geotechnical Services (RGS) dated 4<sup>th</sup> June 2024 (ref: C2405/24/E/6623) has been received in support of the application. The report includes geotechnical information, which is outside the remit of Environmental Health, this consultation response therefore only relates to the land contamination aspect of the report.

The fieldworks were undertaken on the 8th May 2024. A total of four trial pits were excavated and near surface soil samples were logged and retrieved for chemical analysis. The ground conditions were proven as made ground and topsoil over rough rock. The results of the chemical analysis were then screened against a residential without plant uptake criterion. The made ground at locations of TP01 and TP02 contained exceedances of lead. It should be noted that these areas are external to the garage and do not form part of the garage footprint. Furthermore, the garage is to be entirely hardstanding. RGS state this will sever the pathway to end users. RGS also found no contamination in excess of the screening values within the vicinity of the proposed agricultural building.

RGS anticipate that the contamination will either be fully removed from the site during an initial site strip or will be wholly encapsulated by the construction of the new building. Criteria for infill material has been provided as part of the outline remediation proposals.

We have read the report, however we are unable to comment fully in the absence of a Phase 1 report. Therefore, Condition 4 must remain until further notice.

**Recommendations**

Further consultation with Environmental Health is recommended to ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

**Condition 3 – Preliminary Risk Assessment (Phase I Desk Study Report)**

We are unable to consider the application to discharge Condition 3 in the absence of a Preliminary Risk Assessment (Phase I Desk Study Report). Therefore, Condition 3 must remain until further notice.

**Condition 4 – Phase II Intrusive Site Investigation Report**

We have read the Phase II Intrusive Site Investigation Report authored by Rogers Geotechnical Services (RGS) dated 4<sup>th</sup> June 2024 (ref: C2405/24/E/6623), however we are unable to comment fully in the absence of a Phase 1 report. Therefore, Condition 4 must remain until further notice.